

IN THE SUPREME COURT OF TENNESSEE

FILED
March 24, 2000
Cecil Crowson, Jr.
Appellate Court Clerk

ROBERT GLEN COE)
)
Respondent,)
)
v.)
)
STATE OF TENNESSEE)
)
Movant.)

NO. M1999-01313-SC-DPE-PD

ORDER

In light of the indefinite stay of Robert Glen Coe’s execution issued by the United States District Court for the Middle District of Tennessee on March 22, 2000, the State has filed a motion asking this Court to amend its order of December 15, 1999, setting Coe’s execution date for March 23, 2000. The State asks that the Court modify its previous order by entering a conditional indeterminate order which would provide that the execution occur on “the 23rd day of March 2000 unless stayed by this Court or other appropriate authority, and, in that event or in the event that any other additional stays of execution are issued, within 24 hours of the time any such stay expires or is otherwise dissolved.”

Upon due consideration, the motion is hereby DENIED. It is, however, further ORDERED that if the federal district court enters an order denying Coe’s petition for writ of habeas corpus and lifting the stay, this Court will set a new date for Coe’s execution. A motion by the State to set an execution date will not be necessary.

PER CURIAM